



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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October 12, 2000

Eugene Tuttle
Natural Organic Fertilizer, Inc.
1409 Lubbock Highway
Lamesa, Texas 79331

Re: Deficient Notice of Intention to Commence Small Mining Activities, Natural Organic Fertilizer, Inc., S/019/052, Grand County, Utah

Dear Mr. Tuttle:

Thank you for your Small Mine Operation Notice of Intention form and \$100.00 permit fee received by the Division on September 25, 2000. The small mine notice describes your proposed Sam #116 project to be located on BLM managed land in the SE 1/4 SE 1/4 Section 9, T19S, R25E, SLBM, Grand County, Utah. Along with the small mine notice was a letter proposing a crushing plant and non-toxic recovery system and tailings pond to be located on private lands in the SW 1/4 SE 1/4 Section 1 and NE 1/4 NW 1/4 Section 12, T19S, R24E, Grand County, Utah.

The small mine operation is described as stripping ore by pushing downhill and loading ore on trucks for removal from the site. The mine excavation is described as being 600 feet long by 323 feet wide by 60 feet deep. Approximately 3,000 feet of road 12 feet wide will be improved. No variances from the Operation and Reclamation Practices were requested in the notice. A notice was not provided for the plant operations.

This letter is to inform you that the notice does not satisfy the requirements of Rule R647-3 of the Utah Mined Land Reclamation Act of 1975, Title 40-8, et seq., Utah Code Annotated.

Please provide the following information:

- A description of how the mine excavation will be created and what types of equipment will be used.
- A description of benching dimensions for the proposed 60 foot deep excavation.
- A description of overburden handling or the creation of waste dumps.
- A description of the current length and width of the road to be improved.
- A description of the method of topsoil salvage for use in final reclamation.
- A description of the final reclamation of the excavation.

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In addition to providing the above requested information pertinent to the small mine operation, please provide separate information describing the crushing and processing plant facilities. A small mine notice (form SMO-NOI) is enclosed for your use. The Minerals Rules apply to mining activities and operations located on private or patented lands. The Minerals Rules apply to concentrating, milling, evaporation and other primary processing activities. Evaporation or settling ponds, tailings ponds or dumps, and waste discharge areas are considered as land affected by mining operations. Please be advised that a tailings disposal facility will require approval from the state Division of Water Quality, and a crushing facility may require approval from the state Division of Air Quality.

Please be advised that by not requesting a variance from the Operation and Reclamation Practices (copy attached) you will be expected to comply with all applicable practices in completing reclamation at the site. If the undisturbed site is lacking in significant amounts of vegetation or soils you may wish to request a variance from the appropriate reclamation practices. A documented site inspection is required by the Division to verify conditions prior to granting a variance.

A copy of your submission has been forwarded to the Moab BLM Field Office along with a copy of this letter. For operations located on BLM managed lands you will also need approval from the BLM. The BLM typically require 15 days from the date of receipt to review a notice application.

The Division will suspend review of this notice and await your response. Please note that you do not have Division approval to begin operations at the mine site or plant site at this time. Please reference Division file number S/019/052 in your response.

If you have any questions regarding this letter or the permitting requirements of the Utah Minerals Reclamation Program please call me at (801) 538-5267. Thank you for your cooperation.

Sincerely,



Anthony A. Gallegos
Senior Reclamation Specialist

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Attachment: Operation and Reclamation Practices summary
Enclosure: Small Mine Notice form
cc: Tracking File
Sal Venticnique, Moab BLM FO w/copy of notice submission
Dave Rupp, Division of Water Quality
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